

FINAL BILL REPORT

ESHB 2035

C 532 L 09

Synopsis as Enacted

Brief Description: Requiring registered sex and kidnapping offenders to submit information regarding any e-mail addresses and any web sites they create or operate.

Sponsors: House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Klippert, O'Brien, Shea, Haler, Roach, Armstrong, Pearson, McCune, Condotta, Orwall, Ross, Hurst, Smith, Kristiansen, Kretz, Orcutt, Kelley, Warnick and Angel).

House Committee on Public Safety & Emergency Preparedness
Senate Committee on Human Services & Corrections

Background:

A sex or kidnapping offender must register with the county sheriff of the county in which he or she resides. The offender must also notify the county sheriff if he or she enrolls in a public or private school or an institution of higher education. Law enforcement officials use the information in the registry to notify the public, subject to certain guidelines, of a sex offender's presence in the community.

An offender who serves a term of confinement pursuant to a conviction for a sex or kidnapping offense must register at the time of release with the agency that has jurisdiction over the offender. The agency must then transmit the information within three days to the county sheriff. The offender must also register with the county sheriff within 24 hours of release.

An offender who changes his or her address or becomes homeless must provide written notice to the county sheriff of his or her change in status. Homeless offenders must report weekly to the county sheriff. Level II and III sex offenders who have a fixed residence must report to the county sheriff every 90 days.

An offender must provide the following information to comply with registration requirements:

- name;
- complete residential address;
- date and place of birth;

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- place of employment;
- crime for which convicted;
- date and place of conviction;
- aliases used;
- Social Security number;
- photograph; and
- fingerprints.

In 2008 legislation was enacted directing the Sentencing Guidelines Commission to establish the Sex Offender Policy Board (SOPB) to research, review, and discuss issues relating to the assessment, treatment, and supervision of sex offenders.

Summary:

The SOPB is directed to include, in its November 2009 report to the Legislature, a review and recommendation as to whether sex and kidnapping offender registration requirements should be modified to require offenders to submit to law enforcement (1) their electronic mail address or other Internet communication name or identity, including but not limited to instant message, chat, or social networking names or identities, and (2) the uniform resource locator of any personal website created or operated by the offender.

The SOPB is further directed to include in its November report any other issues associated with establishing and implementing such a registration requirement, and the appropriate sanctions for an offender's failure to provide such information in a timely and accurate manner.

Votes on Final Passage:

House	97	0	
Senate	47	0	(Senate amended)
House	98	0	(House concurred)

Effective: July 26, 2009